

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1, 3, 5 and 7-11 are pending in the application, with claims 1 and 5 being the independent claims. Claims 2, 4 and 6 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. Claims 7-11 are sought to be added. Claim 1 has been amended to include the subject matter of originally filed claim 2. Descriptive support for the amendment is found in the specification as filed. The amendment is believed to introduce no new matter, and its entry is respectfully requested.

Claims 1-6 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,883,596 to Rodal (hereinafter "Rodal"). The Drawings have also been objected to.

Based on the above amendment and the following Remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and they be withdrawn.

I. Formal Drawings are Submitted Herewith

Applicant submits herewith formal drawings by way of replacement sheets. Applicant respectfully requests that the Examiner acknowledge the receipt and acceptance of these formal drawings. All objections to the drawings have been overcome and therefore, Applicant respectfully requests that the Examiner withdraw the objections to the drawings.

I. Claims 1, 3, 5 and 7-11 are Patentable over Rodal

Claims 1-6 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,883,596 to Rodal. For the following reasons, this rejection is respectfully traversed.

Claim 1 as amended recites "a first timer capture register adapted to capture a first timer count value when a first PPS signal is received; a second timer capture register adapted to capture a second timer count value when a second PPS signal is received; and software adapted to generate a consensus PPS value based upon said first timer count value and said second timer count value and to generate said reload value based upon said consensus PPS value." Claim 5 recites "capturing a first timer count value with a first timer capture register when a first PPS

signal is received; capturing a second timer count value with a second timer capture register when a second PPS signal is received; [and] generating a consensus timer count value based upon the first captured timer count value and the second captured timer count value.” Rodal fails to disclose or suggest these recitations of the present invention.

The system disclosed by Rodal may be utilized for deriving a timing signal from a received GPS signal. *See* col.1, ll.11-14. The system may receive a single GPS satellite signal which may be demodulated with a pseudorandom (PRN) code associated with the satellite. *See* col.1, ll.57-65. The demodulated PRN code may then be used to derive a timing signal corresponding to the time signal associated with the single satellite. *See* col.3, ll.65-67. A time clock 38 (*see* FIG.1) may then be adjusted to correspond to the time of the individual GPS satellite. *See* col.5, ll.21-24.

Rodal, however, does not disclose the use of first and second timer count values for receiving first and second PPS signals and the calculation of a consensus timer count value based on the first and second timer count values, as recited by claims 1 and 5 of the present invention. Rather, as discussed above, Rodal discloses receiving only one GPS signal from a single GPS satellite. *See* col.5, ll.55-60. The received GPS signal may then be demodulated, correlated and used for adjustment of the internal time clock of the receiver. *See* col.5, ll.21-24. There is no discussion in Rodal about receiving multiple GPS signals, let alone generating a consensus timer count value based upon multiple GPS signals.

The Examiner alleges that Rodal discloses (at col.5, ll.3-12) capturing a second timer count value with a second timer capture register. *See* Office Action, ¶ 3, p.3 *and* ¶ 3, p.4. Further, the Examiner alleges that a consensus timer count value based upon the alleged two timer count values is disclosed at col.5, ll.36-45. *See* Office Action, ¶ 3, p.4 *and* ¶ 3, p.5. Specifically, the Examiner alleges that Rodal discloses that a consensus timer count value based on two timer count values is generated “via a GPS derived time signal that can more closely match the measured time difference between GPS IF signal and the GPS replica signal. *See* Office Action, ¶ 3, p.4 *and* ¶ 3, p.5.

Applicant respectfully submits that the Examiner may be incorrectly interpreting the Rodal disclosure. As correctly noted by the Examiner, Rodal discloses the comparison of a GPS

IF signal with a GPS replica signal at the referenced location. However, this comparison is a comparison of an internal GPS replica signal (generated by a replica generator 24) with a demodulated version of a received GPS signal. *See* col.4, ll.1-17 and 39-47. Hence, the two signals compared in Rodal are not two separate PPS signals, as recited by claims 1 and 5. Further, the comparison in Rodal does not result in the calculation of a consensus timer count value based on two separate PPS signals, as further recited by claims 1 and 5.

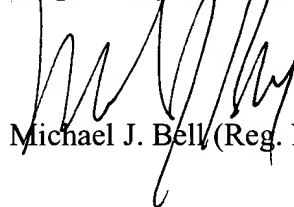
Because Rodal fails to disclose or suggest the claimed apparatus including “a first timer capture register adapted to capture a first timer count value when a first PPS signal is received; a second timer capture register adapted to capture a second timer count value when a second PPS signal is received; and software adapted to generate a consensus PPS value based upon said first timer count value and said second timer count value and to generate said reload value based upon said consensus PPS value” and the claimed method including “capturing a first timer count value with a first timer capture register when a first PPS signal is received; capturing a second timer count value with a second timer capture register when a second PPS signal is received; [and] generating a consensus timer count value based upon the first captured timer count value and the second captured timer count value,” claims 1 and 5 are allowable over Rodal. Claims 3 and 7-11 depend from either claim 1 or claim 5 and are allowable for at least these reasons. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection of the claims under 35 U.S.C. § 102(b).

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,



Michael J. Bell (Reg. No. 39,604)

Date: January 6, 2006

HOWREY LLP
2941 Fairview Park Drive, Box 7
Falls Church, VA 22042
(703) 663-3600